IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 9TH APRIL 2007 / 19TH CHAITHRA 1929

Bail Appl..No. 2065 of 2007()

CRMP.720/2007 of DISTRICT COURT, ALAPPUZHA
CRIME NO.19/07 OF MUHAMMA POLICE STATION
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: PETITIONER/ACCUSED

SAHADEVA PANICKER, AGED 64 YEARS,
S/O. KRISHNA PANICKER, SAJITH BHAVAN,
THANEERMUKKOM, ALAPPUZHA DISTRICT.

BY ADV. SRI.G.PRIYADARSAN THAMPI

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTING SUB
INSPECTOR OF POLICE, MUHAMMA POLICE STATION,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 2065 OF 2007

Dated this the 9th day of April, 2007

O R D E R

Petitioner, who is the accused in Crime No.19/07 of Muhamma Police Station for an offence punishable under section 377 IPC, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that on 16.1.07 at about 2.30 p.m. the petitioner, aged 65 years, committed carnal intercourse against the order of nature on a 14 year old boy by name Vishnu.

4. Anticipatory bail cannot be granted in a case of this nature. However, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation, potency test, etc. and then to have his application for regular bail considered by the Magistrate concerned. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 16.4.2007 and 18.4.2007 for the purpose of interrogation, potency test, etc. The petitioner shall, thereafter, be produced on the same day before the Magistrate

having jurisdiction, who shall consider and dispose of the application for regular bail, if any, filed by the petitioner. Such disposal shall preferably be on the same date on which the application is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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